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Attorneys for Defendants STEVE WATKIN, in his official capacity
as Interim President, Bakersfield College; RICHARD McCROW, in
his official capacity as Dean of Instruction, Bakersfield College;
THOMAS BURKE, in his official capacity as Chancellor, Kern
Community College District; ROMEO AGBALOG, in his official
capacity as President, Kern Community College District Board of
Trustees; JOHN S. CORKINS, in his official capacity as Vice
President, Kern Community College District Board of Trustees;
KAY S. MEEK, in her official capacity as Clerk, Kern Community
College District Board of Trustees; KYLE CARTER, in his official
capacity as Trustee, Kern Community College District;
CHRISTINA SCRIVNER, in her official capacity as Trustee, Kern
Community College District; NAN GOMEZ-HEITZEBERG, in her
official capacity as Trustee, Kern Community College District; and
YOVANI JIMENEZ, in his official capacity as Trustee, Kern
Community College District

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - BAKERSFIELD

DAYMON JOHNSON,

Plaintiff,

v.

STEVE WATKIN, in his official
capacity as Interim President, Bakersfield
College; RICHARD McCROW, in his
official capacity as Dean of Instruction,
Bakersfield College; THOMAS BURKE,
in his official capacity as Chancellor,
Kern Community College District;
SONYA CHRISTIAN, in her official
capacity as Chancellor, California
Community Colleges; ROMEO
AGBALOG, in his official capacity as

Case No.: 1:23-CV-00848 CDB

Complaint Filed: June 1, 2023
FAC Filed: July 6, 2023

**STIPULATION ON HEARING DATE AND
BRIEFING SCHEDULE FOR PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION
AND FOR RESPONSE TO FIRST AMENDED
COMPLAINT**

President, Kern Community College District Board of Trustees; JOHN S. CORKINS, in his official capacity as Vice President, Kern Community College District Board of Trustees; KAY S. MEEK, in her official capacity as Clerk, Kern Community College District Board of Trustees; KYLE CARTER, in his official capacity as Trustee, Kern Community College District; CHRISTINA SCRIVNER, in her official capacity as Trustee, Kern Community College District; NAN GOMEZ-HEITZEBERG, in her official capacity as Trustee, Kern Community College District; and YOVANI JIMENEZ, in his official capacity as Trustee, Kern Community College District,

Defendants.

STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiff DAYMON JOHNSON (“Plaintiff”) and Defendants STEVE WATKIN, in his official capacity as Interim President, Bakersfield College; RICHARD McCROW, in his official capacity as Dean of Instruction, Bakersfield College; THOMAS BURKE, in his official capacity as Chancellor, Kern Community College District; SONYA CHRISTIAN, in her official capacity as Chancellor, California Community Colleges; ROMEO AGBALOG, in his official capacity as President, Kern Community College District Board of Trustees; JOHN S. CORKINS, in his official capacity as Vice President, Kern Community College District Board of Trustees; KAY S. MEEK, in her official capacity as Clerk, Kern Community College District Board of Trustees; KYLE CARTER, in his official capacity as Trustee, Kern Community College District; CHRISTINA SCRIVNER, in her official capacity as Trustee, Kern Community College District; NAN GOMEZ-HEITZEBERG, in her official capacity as Trustee, Kern Community College District; and YOVANI JIMENEZ, in his official capacity as Trustee, Kern Community College District (“Defendants”) (collectively “the Parties”), through their respective counsel of record as follows:

1 WHEREAS, Plaintiff filed a First Amended Complaint in this matter on July 6, 2023;

2 WHEREAS, Plaintiff noticed a Motion for Preliminary Injunction, which has been set for
3 hearing on August 24, 2023, at 10:30 a.m. in Department 220;

4 WHEREAS, this Court by order dated July 21, 2023 [Docket No. 27] has ordered that
5 Defendants' Opposition papers must be served and filed by August 4, 2023;

6 WHEREAS, Defendants' responses to Plaintiff's First Amended Complaint are due this
7 month, based on the dates of service of the First Amended Complaint, making the first responses
8 of particular Defendants being listed in this Court's docket as due August 4, 2023,

9 WHEREAS, Defendants' counsel has requested additional time for the preparation of
10 responses to the First Amended Complaint and to Plaintiff's Motion for a Preliminary Injunction
11 given the scope of the legal issues in this action and the need to coordinate a response,

12 WHEREAS, Plaintiff's counsel was made aware of disputes as to service and Defendants
13 agree to waive those disputes and stipulate that service has been perfected as to All Defendants
14 contingent upon this Court continuing the deadlines for Defendants' respective filings for no
15 fewer than two (2) weeks as set forth in this Stipulation,

16 WHEREAS, Defendant Sonya Christian, who is Chancellor of the California Community
17 Colleges and is represented by the California Attorney General's Office requires an extension of
18 time to respond to the First Amended Complaint of 60 days,

19 NOW THEREFORE, the Parties hereby request that the Court:

- 20 1. Continue the hearing on Plaintiff's Motion for Preliminary Injunction until September
21 5 or 8, 2023 at 10:30 a.m., or a subsequent date and time at the earliest convenience
22 for the Court.
- 23 2. Continue the due date for the Defendants' Opposition papers in response to the
24 Motion, so that they are due to be filed and served August 18, 2023 for All
25 Defendants.
- 26 3. Continue the due date for Plaintiff's Reply papers in support of the Motion, so that
27 they are due to be filed and served August 30, 2023.
- 28

- 1 4. Continue the date by which each of the Defendants (except Sonya Christian) must
2 respond to the First Amended Complaint until August 18, 2023.
3 5. Continue the date by which Defendant Sonya Christian must respond to the First
4 Amended Complaint until October 3, 2023.

5 Dated: August 3, 2023

LIEBERT CASSIDY WHITMORE

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9 By: /s/ David Urban
Eileen O'Hare-Anderson
10 Jesse Maddox
David Urban
11 Jennifer Denny
Attorneys for Defendants STEVE WATKIN,
12 et al.

13 Dated: August 3, 2023

OFFICE OF THE ATTORNEY GENERAL FOR
14 THE STATE OF CALIFORNIA

15
16 By: /s/ Jay Russell
Jay Russell
17 Attorneys for Defendant
18 SONYA CHRISTIAN

19 Dated: August 3, 2023

INSTITUTE FOR FREE SPEECH

20
21
22 By: /s/ Endel Kolde
23 Alan Gura
24 Endel Kolde
Courtney Corbello
25 Attorneys for Plaintiff
DAYMON JOHNSON
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